

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JANE DOE,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	1:17-cv-01034-JTN-ESC
)	
MICHIGAN STATE UNIVERSITY;)	
MICHIGAN STATE UNIVERSITY BOARD)	
OF TRUSTEES; LOU ANNA SIMON in her)	
Individual and Official Capacities;)	
)	
Defendants.)	

**JOINT STATEMENT OF MATERIAL FACTS IN CONJUNCTION WITH
MICHIGAN STATE UNIVERSITY’S MOTION TO DISMISS
PLAINTIFF’S COMPLAINT**

Pursuant to the Court’s March 15, 2018 Pre-Motion Conference Order, Plaintiff Jane Doe (“Plaintiff”), and Defendant Michigan State University (“MSU”), through their undersigned counsel, submit this Joint Statement of Material Facts. As this is a Motion to Dismiss, where MSU is required to accept as true the allegations in the Complaint, MSU’s Motion to Dismiss accepts the allegations as true. Here, the parties have identified certain basic facts that are not in dispute:

1. Plaintiff was a freshman student at MSU during the 2014-2015 academic year.
2. MSU is a public university that receives federal funds.
3. Keith Mumphery graduated from MSU in May 2014 and stopped playing football for MSU by the end of the fall 2014 semester.
4. On or about March 17, 2015, Plaintiff reported that she was sexually assaulted by Mumphery to the MSU Department of Police and Public Safety.

5. On March 18, 2015, Plaintiff reported the assault to MSU's Office for Inclusion and Intercultural Initiatives, later named the Office of Institutional Equity ("OIE").
6. OIE investigated Plaintiff's report of sexual assault.
7. OIE ultimately concluded that Mumphery violated MSU's Policy on Relationship Violence and Sexual Misconduct (the "Policy").
8. Plaintiff obtained counseling services from MSU's Olin Health Center.
9. Plaintiff obtained a "school visa" for assistance with her struggling grades from MSU's Resource Center for People with Disabilities ("RCPD").
10. Mumphery never approached or harassed Plaintiff after she reported her assault.

Respectfully submitted,

s/ Karen Truszkowski

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Respectfully submitted,

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Dated: July 10, 2018

CERTIFICATE OF SERVICE

I certify that on the 10th day of July, 2018, I served the foregoing Joint Statement of Material Facts in Conjunction with Michigan State University's Motion to Dismiss Plaintiff's Complaint, via electronic mail and First Class Mail, upon the following counsel of record:

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